

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects.

Whereas, The deferred operation of this act would tend to defeat its purposes, which are to make supplemental appropriations for fiscal year 2024 and to make certain changes in law, each of which is immediately necessary to carry out those appropriations or to accomplish other important public purposes, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. To provide for supplementing certain items in the general appropriation act
2 and other appropriation acts for fiscal year 2024, the sums set forth in sections 2 and 2A,
3 inclusive, are hereby appropriated from the General Fund unless specifically designated
4 otherwise in this act or in those appropriation acts, for the several purposes and subject to the
5 conditions specified in this act or in those appropriation acts, and subject to the laws regulating
6 the disbursement of public funds for the fiscal year ending June 30, 2024. These sums shall be in
7 addition to any amounts previously appropriated and made available for the purposes of those
8 items. These sums shall be made available through the fiscal year ending June 30, 2025.

9 SECTION 2.

10 EXECUTIVE OFFICE OF HOUSING AND LIVABLE COMMUNITIES

11 *Executive Office of Housing and Livable Communities*

12 7004-0101. Emergency Assistance Family Shelters and Services.....\$215,000,000

13 Emergency Housing and Community Fund.....100%

14 SECTION 2A. To provide for certain unanticipated obligations of the commonwealth, to
15 provide for an alteration of purpose for current appropriations, and to meet certain requirements
16 of law, the sums set forth in this section are hereby appropriated from the General Fund unless
17 specifically designated otherwise in this section, for the several purposes and subject to the
18 conditions specified in this section, and subject to the laws regulating the disbursement of public
19 funds for the fiscal year ending June 30, 2024. Except as otherwise stated, these sums shall be
20 made available through the fiscal year ending June 30, 2025.

21 EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE

22 *Reserves*

23 1599-0709. For state financial assistance in the form of grants or loans to be administered
24 by the executive office of housing and livable communities for the following purposes: (1)
25 accelerating the development and production of affordable housing for families; provided, that
26 the grant or loan program shall be administered by the executive office of housing and livable
27 communities; provided further that not less than 25 per cent of the funds used for such purpose
28 shall be used to fund projects that preserve and produce housing for families and individuals with
29 incomes of not more than 30 per cent of the area median income, as defined by the United States
30 Department of Housing and Urban Development; provided further, that funds expended for such
31 purpose shall, to the maximum extent feasible, be prioritized for projects that address the crisis

32 of unhoused families in the commonwealth; (2) for state financial assistance in the form of grants
33 for projects undertaken pursuant to clause (j) of section 26 of chapter 121B of the General Laws,
34 with priority for projects addressing critical capital needs including expired fire alarm systems,
35 housing, ventilation and air conditioning systems and projects increasing accessibility of housing
36 units for persons with disabilities; (3) for state financial assistance in the form of grants to
37 address cost overruns in projects receiving funding under a demonstration program to
38 demonstrate cost effective revitalization methods for state-aided family and elderly-disabled
39 public housing that seek to reduce the need for future state modernization funding; provided
40 further, that the executive office may exempt a local housing authority recipient of demonstration
41 grants from the requirements of chapters 7C and 121B of the General Laws upon a showing by
42 the recipient that such exemptions are necessary to accomplish the effective revitalization of
43 public housing and shall not adversely affect public housing residents or applicants of any
44 income who are otherwise eligible; and (3) for the Massachusetts Housing Finance Agency
45 established by section 3 of chapter 708 of the acts of 1966, to capitalize a permanent, revolving
46 Residential Production Momentum Fund for the purpose of accelerating the development of
47 mixed-income and workforce multifamily housing production projects by providing financial
48 assistance in the form of innovative, low-cost, and flexible capital funding, which may be in the
49 form of debt, equity, or other instruments, depending on individual underwriting needs of the
50 project; provided that not less than 20 per cent of the units in a project that receives financial
51 assistance from such Residential Production Momentum Fund shall be restricted to households
52 with incomes generally between 60 per cent and 120 per cent of area median income; provided
53 further that, notwithstanding paragraph (f) of section 5 of said chapter 708, the Massachusetts
54 Housing Finance Agency may in its discretion set the term and prepayment options for any

55 mortgage or other loan or instrument issued to any project receiving such financial assistance
56 based on the individual underwriting needs of the project; provided further, that financial
57 assistance for any of the purposes in this item shall be awarded in a manner that promotes
58 geographic equity; and provided further, that funds expended from this item for new construction
59 or substantial rehabilitation shall, to the maximum extent feasible, be prioritized for projects that
60 comply with decarbonization and sustainability standards; provided, that prioritization will be
61 determined through objective scoring criteria in the Qualified Allocation Plan developed by the
62 executive office of housing and livable communities; provided further, that for new construction
63 projects, the applicable standards for prioritization are set forth in the commonwealth’s Opt-in
64 Specialized Energy Code set forth at 225 CMR §§ 22.00 and 23.00 and Enterprise Green
65 Communities standards; provided further, that any new construction or substantial rehabilitation
66 project proposing less than full compliance with said standards shall provide detailed analysis
67 demonstrating why full compliance would render the project infeasible notwithstanding
68 utilization of all available federal and state incentives, including rebates and tax credits; provided
69 further, that for retrofits of existing units, prioritization shall be given to projects that include
70 energy efficiency and electrification decarbonization measures, including, but not limited to
71 electric or ground source heat pumps, net-zero developments, Passive House or equivalent
72 energy efficiency certification, and all-electric buildings and projects that incorporate green,
73 sustainable and climate-resilient elements; provided further, that projects that include lower
74 embodied carbon construction materials and methods shall be further prioritized; and provided
75 further that, in the event of a deficiency identified by the secretary of housing and livable
76 communities in item 7004-0101 of the state budget, funding in this item may be transferred to
77 said item 7004-0101\$150,000,000

78 Emergency Housing and Community Fund.....100%

79 1599-1213 For purposes related to supportive services and safe shelter for unhoused
80 families in Massachusetts, including but not limited to immigrant and refugee health services and
81 community supports, public and community health services and personnel, medical interpreter
82 services, childcare and safety equipment, and other related services, supports, and programs for
83 unhoused families; provided further, that the secretary for administration and finance shall
84 submit monthly reports to the house and senate committees on ways and means detailing the
85 expenditure of funds from this item; provided, further that any reporting required under item
86 1599-0514 under section 2A of chapter 77 of the acts of 2023 shall meet any reporting
87 requirements under this item.....\$10,000,000

88 SECTION 3. Chapter 29 of the General Laws, as appearing in the 2022 Official Edition,
89 is hereby further amended by inserting after section 2DDDDDD the following new section:-

90 Section 2EEEEEE. There shall be established and set up on the books of the
91 commonwealth a separate fund known as the Emergency Housing and Community Fund. The
92 fund shall be credited with any appropriations or other money designated to be credited to the
93 fund and interest earned on any amounts deposited in the fund. administered s, and shall be
94 Amounts credited to the fund shall be expended, subject to appropriation, to support, as deemed
95 necessary by the secretary of administration and finance, in consultation with the secretary of
96 housing and livable communities, housing production, shelter and related services, and supports
97 for unhoused families. The fund shall not be subject to Section 5C of Chapter 29 of the
98 Massachusetts General Laws.

99 SECTION 4. Section 2EEEEEE of chapter 29 of the General Laws, as inserted by
100 section 3, is hereby repealed.

101 SECTION 5. Notwithstanding any general or special law to the contrary, for fiscal year
102 2024 and fiscal year 2025, the secretary for administration and finance may authorize transfers of
103 surplus among and within 1599-0514, 1599-0709, 1599-0924, 1599-0925, and 1599-1213.

104 SECTION 6. Notwithstanding any general or special law to the contrary, not later than
105 10 days after the effective date of this act, the comptroller of the commonwealth shall transfer
106 the amount of \$873,000,000 from the Transitional Escrow Fund established in section 16 of
107 chapter 76 of the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022, to the
108 Emergency Housing and Community Fund established in section 2EEEEEE of chapter 29 of the
109 General Laws, as inserted by section 3; provided, further that not later than July 10, 2024, the
110 Comptroller shall transfer the unobligated balance as of June 30, 2024 from the Transitional
111 Escrow Fund established in said section 16 of said chapter 76 to the Emergency Housing and
112 Community Fund established in said section 2EEEEEE of said chapter 29, as inserted by section
113 3.

114 SECTION 7. Notwithstanding any general or special law to the contrary, not later than
115 July 1, 2025, the Comptroller shall transfer any unexpended funds in the Emergency Housing
116 and Community Fund established in section 2EEEEEE of chapter 29 of the General Laws, as
117 inserted by section 3, to the Transitional Escrow Fund established in section 16 of chapter 76 of
118 the acts of 2021, as amended by section 4 of chapter 98 of the acts of 2022.

119 SECTION 8. Section 4 shall take effect July 1, 2025.